

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Janko Budzisch

Examiner: Vitali A. Korobov

Application No. 10/749,854

Art Unit: 2155

Filed: December 30, 2003

Confirmation No. 9420

For: APPLICATION FOR TESTING
THE AVAILABILITY OF SOFTWARE
COMPONENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.97(e)

Sir:

I hereby certify (as indicated by an "X" to the left of the appropriate paragraph):

- _____ That each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- X That no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing the Information Disclosure Statement.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: /9-26-08/ /Robert B. O'Rourke/
Robert B. O'Rourke
Reg. No. 46,972

1279 Oakmead Parkway
Sunnyvale, CA 94085
(408) 720-8300